

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

	X	
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KEYLEE LAWRENCE, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	1:18-cv-8649-GHW
	:	
-v-	:	<u>ORDER</u>
	:	
NYC MEDICAL PRACTICE, P.C., <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
	X	
GREGORY H. WOODS, United States District Judge:		

On February 14, 2025, Defendants filed a letter with attached stipulations of dismissal signed by counsel for Defendants and each *pro se* plaintiff remaining in this action, specifically Ms. Lawrence, Ms. Warner, and Ms. Rosado. Dkt. No. 320. The parties stipulated to dismissal with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). The parties should have submitted a stipulation in accordance with Rule 41(a)(2), rather than 41(a)(1)(A)(ii); the latter rule is not effective under *Cheeks v. Freeport Pancake H., Inc.*, 796 F.3d 199, 206 (2d Cir. 2015) (“Stipulated dismissals settling FLSA claims with prejudice require the approval of the district court.”). Defendants represent that the dismissal is not the result of a settlement and that Plaintiffs received nothing of value for dismissing their claims. Dkt. No. 320.

This case has proceeded for almost six and a half years. The Court notes that the remaining plaintiffs are proceeding *pro se* after their attorneys withdrew in September 2024, and they have been unable to retain new counsel. *See* Dkt. No. 302. Over multiple recent conferences held on the record, during which the Court informed the *pro se* plaintiffs of their responsibilities in prosecuting their claims, the plaintiffs represented to the court multiple times that they are not prepared to

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litigate the case and that they do not wish to pursue their claims. For these reasons, the Court approves the parties' stipulation of dismissal with prejudice pursuant to Fed. R. Civ. P. 41(a)(2). The Clerk of Court is directed to terminate all pending motions, to adjourn all remaining dates, and to close this case. The Clerk of Court is further directed to mail a copy of this order to Plaintiffs by certified mail.

SO ORDERED.

Dated: February 17, 2025
New York, New York



GREGORY H. WOODS
United States District Judge